

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Xiaobing SUN et al.

U.S. Serial No.: Filed Concurrently Herewith

Title of Invention: RESOURCE ALLOCATON IN CDMA WIRELESS  
COMMUNICATION SYSTEMS

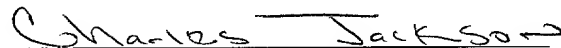
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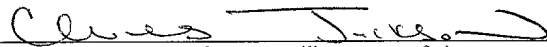
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Date of Deposit: November 21, 2001

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**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Box Patent Application (35 U.S.C. 111)  
Washington, D.C. 20231

Sir:

Before the issuance of the first Office Action, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please amend claims 3, 5 and 8 by rewriting the same as follows:

3. (Amended) A method according to claim 1 in which said selection step includes:

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- control means arranged, upon determining that the centre accepts the proposal, to transmit the spreading code with the highest performance value to the decoding means, and, upon determining that the centre rejects the proposal, to trigger said assessment means to operate again excluding the spreading code with the highest performance value from the set of possible spreading codes.

Claims 1-9 remain in the application. Claims 3, 5 and 8 have been amended to eliminate multiple dependencies. Attached hereto is a marked up version of the changes made to claims 3,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE****In the claims:**

3. (Amended) A method according to claim 1 ~~or claim 2~~ in which said selection step includes:
- (1) assessing which of the set of possible spreading codes has the highest performance value;
  - (2) determining whether that spreading code fulfils one or more acceptance criteria,
  - (3) if in step (2) it is determined that that code fulfils the or each acceptance criterion, assigning that code to the device, and otherwise excluding that code from the set of possible spreading codes and returning to step (1).
5. (Amended) A method according to claim 1 ~~any preceding claim~~ in which said step of deriving parameters is performed by measurement of a CDMA signal received by the device.
8. (Amended) A device according to claim 6 ~~or claim 7~~ in which said device includes:
- assessment means for assessing which of the set of possible spreading codes has the highest performance value;
  - means for transmitting to a resource allocating centre a proposal that the spreading code with the highest performance value is associated with the device, and determining whether that centre accepts the proposal;
  - control means arranged, upon determining that the centre accepts the proposal, to transmit the spreading code with the highest performance value to the decoding means, and, upon determining that the centre rejects the proposal, to trigger said assessment means to operate again excluding the spreading code with the highest performance value from the set of possible spreading codes.

FOR "PATENT" REFERENCE